

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

---

)  
THE HIPSAVER COMPANY, INC., )  
                                  )  
                                  )  
Plaintiff / Counterclaim Defendant, )  
                                  )  
                                  )  
v                               ) Civil Action No. 05-10917 PBS  
                                  )  
J.T. POSEY COMPANY, )  
                                  )  
                                  )  
Defendant / Counterclaim Plaintiff. )  
                                  )  
                                  )  
                                  )  
                                  )

---

**PLAINTIFF'S PRETRIAL DISCLOSURES  
PURSUANT TO RULE 26(a)(3)**

Plaintiff The HipSaver Company, Inc. ("HipSaver") hereby makes the following disclosures pursuant to Rule 26(a)(3). These disclosures are subject to revision, and specifically do not include demonstrative exhibits (such as charts and summaries) that are based upon other admissible evidence.

**A. Identification of Witnesses**

HipSaver identifies the following witnesses whom it expects to call at trial:

Mr. Edward Goodwin

Mr. Ernest Posey

Ms. Victoria Lewis

Dr. Roy J. Epstein, PhD

Mr. Creighton Hoffman

Dr. Wilson C. Hayes, PhD

Dr. Edward Embramzadeh, PhD

HipSaver identifies the following witnesses whom it may call at trial if the need arises:

Dr. Jeffrey B. Burl, MD, CMD  
Mr. Charles Nail (may be by deposition)  
Ms. Helen Brogna  
Mr. Tim Sturkie  
Mr. Gary Reich  
Mr. Kevin Minissian  
Rogers Corporation representative  
Mr. Charles Sweeney

**B. Identification of Documents**

See attached exhibit list. HipSaver expects to offer all of the documents and things designated with a "Yes" on the exhibit list, and may offer the documents and things designated with an "Maybe" if the need arises.

Dated: Boston, Massachusetts  
April 30, 2007

Respectfully submitted,  
THE HIPSAVER COMPANY, INC.  
By its Attorneys,

/s/ Courtney M. Quish  
Lee Carl Bromberg  
BBO No.: 058480  
Edward J. Dailey  
BBO No.: 112220  
Courtney M. Quish  
BBO No.: 662288  
BROMBERG SUNSTEIN, LLP  
125 Summer Street - 11th floor  
Boston, Massachusetts 02110-1618  
617.443.9292  
[cquish@bromsun.com](mailto:cquish@bromsun.com)

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
BLANK 039	Yes	"Posey Hipsters Proven Most Effective in In-Vitro Testing" - citing UCLA study	Advertisement	00/00/0000	
COR 000130	Maybe	HipSaver VA Sales by facility and year	Financial	9/12/2006	HipSaver
EM 000537	Maybe	Norchem Wash Formula Guide for Posey hip protectors	Industry document	2/12/2006	Norchem
EM 0527	Maybe	Washing logs prepared by Kevin Minissian, from NorFlow-Win Valet Services, El Monte	Log	02/00/2006	NorFlow-Win Valet Services
G 000003	Maybe	Garwood Laboratories Environmental Test Report on 4 Hip Protector Foam Pads and 2 Tube Tread floor mats	Report	5/28/2003	Clemens, R. M. Flower, William C. Virgilio, Vic
G 000053	Maybe	Environmental Test Report on Thirteen Hip Protectors	Report	3/31/2005	Garwood Laboratories
G 000053	Maybe	Garwood Laboratories Environmental Test Report on Thirteen Hip Protectors	Report	3/31/2005	Clemens, R. M. Flower, William C. Virgilio, Vic
G 000053	Maybe	Garwood Laboratories Environmental Test Report on 13 Hip Protectors	Report	3/31/2005	Clemens, R. M. Flower, William C. Virgilio, Vic
G 000115	Maybe	Garwood Laboratories Environmental Test Report on 6 Hip Protectors	Report	1/18/2005	Clemens, R. M. Flower, William C. Virgilio, Vic
G 000115	Maybe	Environmental Test Report on Six Hip Protectors	Report	1/18/2005	Garwood Laboratories

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
G 000115	Maybe	Garwood Laboratories Environmental Test	Report	1/18/2005	Clemens, R. M.
		Report on Six Hip Protectors			Flower, William C.
					Virgilio, Vic
G 000149	Maybe	Garwood Laboratories Environmental Test	Report	10/2/2003	Clemens, R. M.
		Report on 3 Hip Protectors			Flower, William C.
					Virgilio, Vic
G 000184	Yes	Garwood Laboratories Environmental Test	Report	8/7/2001	Garwood Laboratories
		Report on Various Hip Protectors			
G 000184	Yes	Environmental Test Report on Various	Report	8/7/2001	Garwood Laboratories
		Hip Protectors			
G 000185	Maybe	Garwood Laboratories Environmental Test	Report	8/7/2001	Clemens, R. M.
		Report on Various Hip Protectors			Flower, William C.
					Sturkie, Tim
G 000239	Maybe	Letter re: bid for testing	Letter	6/27/2001	Sturkie, Tim
G 000241	Maybe	Letter accepting bid for testing	Letter	7/5/2001	Walters, Vicky
G 000243	Maybe	Listing of samples to be tested, including HipSaver	Report	00/00/0000	Walters, Vicky
G 000244	Maybe	Cover sheet for test	Report	00/00/0000	
G 000245	Maybe	Environmental Test Report on Hip	Report	5/2/2001	Garwood Laboratories
		Protectors			
G 000245	Maybe	Garwood Laboratories Environmental Test	Report	5/2/2001	Clemens, R. M.
		Report on Hip Protectors (unexecuted			Flower, William C.
		cover sheet)			Virgilio, Vic
G 000246	Maybe	Garwood Laboratories Environmental Test	Report	5/2/2001	Clemens, R. M.
		Report on Hip Protectors			Flower, William C.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
					Sturkie, Tim
G 000256	Maybe	Invoice / price quote for doing test on Hipsters, totalling \$5,650	Invoice	3/2/2001	Posey Co.
G 000257	Maybe	Revised bid for testing on impact absorbing materials	Invoice	2/27/2001	Garwood Laboratories
G 000259	Maybe	Email re: test procedure	E-mail	3/20/2001	Waters, Vicky
G 000262	Maybe	Posey Log by Item - data results of drop test	Report	03/00/2001	
G 000285	Maybe	Force Attenuation Properties of Various Trochanteric Padding Materials Under Typical Falling Conditions of the Elderly	Article	00/00/1996	Parkkari Kannus Poutala Vuori
G 000291	Maybe	Cover sheet for drop test	Report	00/00/0000	
G 000292	Maybe	Garwood Laboratories Environmental Test Report on 9 Hip Protectors	Report	7/7/2004	Clemens, R. M. Flower, William C. Virgilio, Vic
G 000353	Maybe	Garwood Laboratories Environmental Test Report on 3 Hip Protectors	Report	9/20/2002	Clemens, R. M. Flower, William C. Virgilio, Vic
G 000384	Maybe	Garwood Laboratories Environmental Test Report on 9 Samples Hip Protector Material (unexecuted cover sheet)	Report	7/30/2003	Clemens, R. M. Flower, William C. Virgilio, Vic
GR 0440	Maybe	Expert Designation Including Report of Gary Reich.	Pleading	00/00/0000	Gary Reich
HAC 000009	Maybe	Letter enclosing produced documents for	Letter	2/6/2006	Sheldon, Shannon

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		damages review			
HAC 000023	Maybe	Draft Supplemental Rule 26 (a) Report regarding damages prepared by Creighton Hoffman and Philip Green	Report	00/00/0000	Hoffman, Creighton Green, Phil
HAC 000057	Maybe	Posey and HipSaver financial documents	Financial	00/00/0000	
HAC 000068	Maybe	Regression Data for Supplemental Exhibit D-3	Financial	00/00/0000	
HAC 000070	Maybe	Sales Data for 2001-2005	Financial	00/00/0000	
HAC 000073	Maybe	Sales Data for 2001-2005	Financial	00/00/0000	
HAC 000083	Maybe	Sales Data for 2001-2005	Financial	00/00/0000	
HAC 000089	Maybe	HipSaver & Posey Sales Growth Comparison; HipSaver sales data and charts	Financial	00/00/0000	
HAC 000100	Maybe	Posey sales data and charts	Financial	00/00/0000	
HAC 000207	Maybe	Posey Hipsters advertisement	Advertisement	00/00/2005	Posey Co.
HAC 000248	Maybe	Posey Co. Financial sales data	Financial	00/00/0000	
HAC 000254	Maybe	Corporate expenses	Financial	00/00/0000	
HS 000003	Yes	Advertisement for Posey Fall Management and Bed Safety Products	Advertisement	00/00/0000	Posey Co.
HS 000012	Maybe	A Solution to Hip Fractures Using Performance Tested Hip Protectors	Article	08/00/2003	Gandhi, Bimal
HS 000017	Maybe	Declaration Certifying the Authenticity	Declaration	7/22/2004	Gupta, Vijay

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		of UCLA Business Records	Certifying the Authenticity of Business Records		
HS 000018	Maybe	Information relating to Posey Co.'s gift to Prof. Gupta	Gift Transmittal Form	9/26/2002	Islan 2 Gift Administration
HS 000021	Maybe	Statement of Posey Co. gift of \$18,000 in support of Dr. Vijay Gupta for study of hip protectors	Letter	9/18/2002	Posey Ernie
HS 000022	Maybe	Principal Investigator's Statement of Economic Interests	Principal Investigator's Statement of Economic Interests	00/00/0000	
HS 000024	Maybe	Financial information relating to Posey Co. gift to Bimal Gandhi	Gift information	7/1/2004	
HS 000037	Maybe	Summary of opinions	Letter	6/14/2004	Hayes, Wilson
HS 000067	Maybe	Posey's False Advertising Campaign	Investigation	00/00/0000	
HS 000069	Maybe	Advertisement for HipSaver	Advertisement	00/00/0000	HipSaver Co.
HS 000072	Maybe	Order forms for HipSaver	Order information	00/00/0000	
HS 000079	Maybe	Posey's Knock-off Campaign	Investigation	00/00/0000	
HS 000083	Maybe	A Solution to Hip Fractures Using Performance Tested Hip Protectors	White paper	08/00/2003	Gandhi, Bimal
HS 000091	Maybe	Transient Dynamic Response in a Surrogate Hip Model During a Simulated Lateral Fall	Thesis	00/00/2003	Gandhi, Bimal

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS 000107	Yes	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
HS 000285	Maybe	Handout which accompanies a video from NCPS designed to educate rehab therapists.	Handout	00/00/0000	
HS 000302	Maybe	Photos of Posey Hipsters	Photo	00/00/0000	
HS2 000003	Maybe	Letter re: notice to conduct comparative advertising	Letter	4/4/2005	Goodwin, Ed
HS2 000004	Maybe	Letter informing Posey of comparative advertising re: Poron and HipSaver	Letter	4/7/2005	Goodwin, Ed
HS2 000005	Maybe	Letter informing Posey of comparative advertising re: Hipster and HipSaver	Letter	4/8/2005	Goodwin, Ed
HS2 000006	Maybe	Letter informing Posey of comparative advertising re: Hipster and HipSaver	Letter	4/8/2005	Goodwin, Ed
HS2 000008	Maybe	Letter enclosing Posey Hipster mistakenly returned to HipSaver, and photos of same	Letter	5/2/2003	Oha, Michelle
HS2 000011	Maybe	Facilities that Complained of laundry degradation problems with Posey Hipsters	Report	00/00/0000	
HS2 000028	Maybe	HipSaver Open bottom 3-snap	Advertisement	00/00/0000	
HS2 000036	Maybe	Letter re: Garwood test	Letter	4/8/2005	Goodwin, Ed
HS2 000038	Yes	Hip Protector Compliance: A 13-Month Study on Factors and Cost in a Long-Term Care Facility	Article	09/00/2003	Burl, Jeffrey Centola, James Bonner, Alice Burque, Colleen

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 000043	Yes	Hip Pads: Effective Fracture Prevention	Article	10/30/2000	George Gross Tsan-Hui Chen Carolyn Flaherty
HS2 000043	Yes	Hip Pads: Effective Fracture Prevention	Article	10/30/2000	Gross, George Chen, Tsan-Hui Flaherty, Carolyn
HS2 000046	Yes	Tampere, Finland tests	Report	08/00/2000	Kannus Parkkari Poutala
HS2 000050	Yes	Beth Israel impact test results for HipSaver hip pad	Report	4/9/1996	Hayes, Wilson C.
HS2 000056	Maybe	Posey Hipsters ad citing studies by Ekman and Kannus	Advertisement	6/20/2005	
HS2 000058	Yes	Posey Hipsters ad	Advertisement	5/17/2005	
HS2 000059	Yes	Posey Hipsters ad	Advertisement	5/17/2005	
HS2 000060	Maybe	Web page from "Wayback Machine" showing changes to Posey website from 1996 to Oct-05	Web page	11/10/2005	
HS2 000063	Yes	Ad - "Posey Hipsters Help Protect Against Injury from Falls"	Advertisement	00/00/0000	
HS2 000064	Yes	Garwood Laboratories - Environmental Test Report on Various Hip Protectors	Report	8/7/2001	Clemens, R.M. Flower, William C. Storkie, Tim
HS2 000073	Maybe	HipSaver order form	Invoice	00/00/0000	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 000074	Maybe	HipSaver order form	Invoice	00/00/0000	
HS2 000075	Maybe	HipSaver order form	Invoice	5/9/2001	
HS2 000076	Maybe	A&M Homecare Medical Supply Invoice no. 1026 for HipSaver slim fit	Invoice	2/25/2003	
HS2 000077	Maybe	Check no. 5853 in the amount of \$374.88 from A&M Homecare payable to HipSaver	Check	2/25/2003	
HS2 000078	Maybe	Fax stating order has been shipped	Fax cover sheet	4/29/2002	HipSaver
HS2 000079	Maybe	HipSaver order form	Invoice	4/27/2002	
HS2 000080	Yes	HipSaver Company, Inc. 2001 Tax Return (form 1120)	Tax return	00/00/2001	
HS2 000080	Yes	2001 - 2004 Tax Forms for Hipsaver	Tax Form	00/00/0000	
HA 000027					
HS2 000082	Yes	HipSaver Company, Inc. 2002 Tax Return (form 1120S)	Tax return	00/00/2002	
HS2 000082	Yes	2002 Tax Form for HipSaver	Tax Form	00/00/2002	
HS2 000084	Yes	2003 Tax Form for HipSaver	Tax Form	00/00/2003	
HS2 000085	Yes	HipSaver Company, Inc. 2003 Tax Return (form 1120S)	Tax return	00/00/2003	
HS2 000086	Yes	HipSaver Company, Inc. 2004 Tax Return (form 1120S)	Tax return	00/00/2004	
HS2 000086	Yes	HipSaver tax return 2004	Tax Form	00/00/2004	
HS2 000087.0	2	Maybe Posey Hipsters ad citing CDC report and	Advertisement	00/00/1999	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		Rubenstein article			
HS2 000088	Maybe	Posey Hipsters ad citing articles by Ekman and Kennan	Advertisement	5/17/2005	
HS2 000093	Yes	Posey warning label	Photograph	00/00/0000	
HS2 000098	Yes	Handout (Balance Assessment Handbook)	Report	00/00/0000	Hart-Hughes, Stephanie
HS2 000133	Maybe	Energy Shunting Hip Padding System Attenuates Femoral Impact Force in a Simulated Fall	Article	11/00/1995	Robinovitch, S. N. Hayes, W. C. McMahon, T.A.
HS2 000138	Yes	Letter enclosing impact test results of Goodwin hip pad	Letter	4/9/1996	Hayes, Wilson
HS2 000144	Yes	Comparison of Force Attenuation Properties of Four Different Hip Protectors Under Simulated Falling Conditions in the Elderly: An In Vitro Biochemical Study	Article	08/00/1999	Kannus, P. Pakkari, J. Poutala, J.
HS2 000151	Yes	Trochanteric padding material tests - HipSaver	Report	00/00/2000	Pakkari, Jari Poutala, Jarmo
HS2 000155	Maybe	Interpretation of Biochemical Testing of HipSaver Dual-mechanism Shunting / Absorbing Pad	Report	08/00/2000	Goodwin, Ed
HS2 000221	Maybe	Kevin Minessian Expert Witness	Report	2/16/2006	Minessian, Kevin
RJE 001718		Statement			
HS2 000297	Maybe	Photos of degraded hip protector pad	Photo	00/00/0000	
HS2 000311	Maybe	Are hip protectors correctly positioned in use?	Article	00/00/0000	Minns, R.J. Marsh, A.M.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
					Chuck, A.
					Todd, J.
HS2 000328	Maybe	Customer information/comments	Corporate	00/00/0000	
HS2 000388	Yes	HipSaver Tax return 2001	Tax	00/00/2001	
HS2 000399	Yes	HipSaver Tax return 2002	Tax	00/00/2002	
HS2 000408	Yes	HipSaver Tax return 2003	Tax	00/00/2003	
HS2 000417	Yes	HipSaver tax return 2004	Tax	00/00/2004	
HS2 000593	Maybe	Letter accepting invitation to Annual Nurse Manager Conference	Letter	1/10/2005	Brogna, Helen
HS2 000595	Maybe	Description of conference: VISN 8 Patient Safety Center of Inquiry	Conference literature	00/00/0000	University of South Florida
HS2 000597	Maybe	Fax reserving space at VHA Patient Safety conference	Fax	12/1/2004	Brogna, Helen
HS2 000598	Maybe	Invitation to conference	Letter	1/14/2004	Sojka, Sue
HS2 000599	Maybe	Information and schedule for 5th National Conference Evidence-Based Fall Prevention	Conference literature	00/00/0000	University of South Florida
HS2 000601	Maybe	Exhibitor Registration Form for American Medical Directors Association Symposium	Registration Form	00/00/0000	
HS2 000712	Maybe	Purchase Agreement between HCR Manor Care and Posey for Hipsters	Agreement	10/31/2003	Platzman Ferguson
HS2 000743	Maybe	Email string re: problems with	E-mail	6/6/2005	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		Hipsters; "The pads are becoming deformed and are not useable."			
HS2 000801	Maybe	RE: Hipster issue / Webster TX	email	10/22/2004	Lopez, Lenore
HS2 000804	Yes	FW: Posey Hipsters brand hip protectors	email	10/15/2004	Hynous, Liz
HS2 000806	Maybe	FW: Hipsters	email	8/13/2004	Lopez, Lenore
HS2 000808	Maybe	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
HS2 000810	Maybe	FW: Hipsters	email	8/11/2004	Lopez, Lenore
HS2 000818	Yes	Advertisement for Posey EZ On Hipsters	Advertisement	00/00/0000	Posey Co.
HS2 000820	Yes	Trochanteric padding material tests HipSaver	Test	2/1/2006	Parkkari, Jari Poutala, Jarmo
HS2 000822	Maybe	Cover letter for HipSaver pad test results	Cover Letter	2/1/2006	Bartholomew, William
HS2 000832	Yes	Advertisement referencing UCLA tests and comparing Hipsters to other hip protectors	Advertisement	00/00/0000	Posey Co.
HS2 000833	Maybe	Guidelines for Environmental Infection Control in Health-Care Facilities	Guidelines	6/6/2003	Sehulster, Lynne Chinn, Raymond
HS2 000898	Maybe	Falls Toolkit information and Guide	Contact	11/8/2005	VA National Center for Patient Safety
HS2 001040	Maybe	Minns, "Are Hip Protectors correctly positioned?"	Thesis	00/00/0000	RJ Minns A-M Marsh A Chuck J Todd

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 001078	Maybe	FW: Hip Protector Study	E-mail	11/13/2003	Redacted Posey Company
HS2 001103	Maybe	Hip Protector Study: Patient Compliance and Usability Study Overview	Study	00/00/0000	NCPS
HS2 001108	Maybe	Hip Protector Quality Improvement Project Summary of Final Survey & Interviews	Study	00/00/0000	NCPS
HS2 001248	Maybe	FW: Inquiry to Posey re: Hip Protectors	E-mail	4/28/2003	Stalhandske, Erik
HS2 001250	Maybe	Re: Hello {Question about hip pad study}	E-mail	4/6/2004	Nentrup, Randall
HS2 001253	Maybe	Posey Hip Protectors Durability Test	Log	00/00/0000	
HS2 001360	Maybe	Article on Hip Protectors from BMJ	Article	2/16/2002	
HS2 001366	Maybe	The New England Journal of Medicine: Prevention of Hip Fracture In Elderly People with Use of a Hip Protector [article]	Article	12/23/2000	
HS2 001376	Maybe	JAMA: External Hip Protectors and Risk of Hip Fracture	Letter	8/20/2003	Cummings, Peter Weiss, Noel
HS2 001378	Maybe	JAMA: External Hip Protectors and Risk of Hip Fracture	Letter	8/20/2003	Honkanen, Lisa
HS2 001380	Maybe	JAMA: External Hip Protectors and Risk of Hip Fracture - Reply	Letter	8/20/2003	van Schoor, Natasia Smit, Johannes Twisk, Jos Bouter, Lex Lips, Paul

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 001382	Maybe	JAMA: External Hip Protectors and Risk of Hip Fracture	Letter	8/20/2003	Bulat, Tatjana Quigley, Pat
HS2 001418	Maybe	The New England Journal of Medecine: Hip Protectors - A Breakthrough in Fracture Prevention [editorial]	Article	11/23/2000	Rubenstein, Laurence
HS2 001432	Maybe	Journal of Gerontology: Predictors of Adherence With the Recommended Use of Hip Protectors	Article	00/00/2004	Kurle, Susan Cameron, Ian Quine, Susan
HS2 001436	Maybe	Clinical Orthopaedics and Related Research: Force Reduction by an External Hip Protector on the Human Hip After Falls	Article	00/00/2002	Wiener, Stanley Andersson, Gunnar Nyhus, Lloyd Czech, Jerry
HS2 001457	Maybe	Hip protector compliance among older people living in residential care homes [article]	Article	00/00/2002	Cryer Knox, A Martin, D Barlow, J
HS2 001468	Maybe	Osteoporosis International: Acceptance of Hip Protectors for Hip Fracture Prevention in Nursing Homes	Article	00/00/2001	Hubacher, M. Wettstein, A.
HS2 001485	Maybe	Annals of Internal Medicine: Fall and Injury Prevention in Older People living in Residential Care Facilities: A Cluster Randomized Test	Article	5/21/2002	Jensen, Jane Lundin, Olsson, Lillemor Nyberg, Lars Gustafson, Yngve
HS2 001504	Maybe	Long-Term Care Around the Globe: Experiences with External Hip Protectors in Homes for the Aged: A Report from Finland	Article	00/00/2002	Maki-Jokela, Paivi Valvanne, Jaakko Jantti, Pirkko Heikinheimo, Rauno

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 001508	Maybe	Journal of Bone and Mineral Research: Force Attenuation Properties of Various Trochanteric Padding Materials Under Typical Falling Conditions of the Elderly	Article	00/00/1994	Parkkari, Jari Kannus, Pekka Poutala, Jarmo Vuori, Ilkka
HS2 001517	Maybe	Journal of Biomechanical Engineering: Energy-Shunting Hip Padding System Attenuates Femoral Impact Force in a Simulated Fall	Article	11/00/1995	Robinovitch, S.N. Hayes, W.C McMahon, T.A.
HS2 001523	Maybe	Osteoporosis International: Hip Fracture Prevention Trial Using Hip Protectors in Japanese Nursing Homes"	Article	00/00/2001	Harada, A. Takemura, M. Tokuda, H. Okuzumi, H. Niino, N,
HS2 001541	Maybe	The New England Journal of Medicine: Prevention of Hip Fracture in Elderly People with Use of a Hip Protector	Article	11/23/2000	Kannus, Pekka Parkkari, Jari Niemi, Seppo Pasanen, Matti Palvanen, Mika Jarvinen, Markku Vuori, Ilkka
HS2 001575	Maybe	Archives of Gerontology and Geriatrics: External hip protectors - likely non-compliance among high risk elderly people living in the community	Article	8/17/1994	Cameron, Ian Quine, Susan
HS2 001599	Maybe	Generations: Hip Protectors to Prevent Fall-Related Fractures	Article	12/00/2002	Peterson, Elizabeth Howland, Jonathon Lauritzen, Jes
HS2 001605	Maybe	Generations: Evidence-Based Guideline for Falls Prevention: Summary of the	Article	12/00/2002	Rubenstein, Laurence Kenny, Rose

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		Bi-National Panel			Eccles, Martin
					Martin, Finbarr
					Tinetti, Mary
HS2 001635	Maybe	Age and Aging: Hip protectors in aged-care facilities: a randomized trial of use by individual higher-risk residents	Article	00/00/2001	Cameron, Ian Venman, Jennifer Kurrie, Susan Lockwood, Keri Birks, Carol Cumming, Robert Quine, Susan Bashford, Guy
HS2 001640	Maybe	AGS Panel on Fall Prevention: Guideline for the Prevention of Falls in Older Persons	Article	00/00/2001	American Geriatrics Society, British Geriatrics Society, and American Academy of Orthopaedic Surgeons Panel on Falls Prevention
HS2 001668	Maybe	JAMA article: Prevention of Hip Fractures by External Hip Protectors	Article	4/25/2003	
HS2 001707	Maybe	Hip Protectors to Prevent Fall-Related Fractures	Article	00/00/2002	
HS2 001718	Maybe	Article: An economic analysis of external hip protector use in ambulatory nursing facility residents	Article	00/00/2003	
HS2 001778	Maybe	Article: Prevention of Hip Fractures by Extrernal Hip Protectors	Article	4/16/2003	
HS2 001850	Maybe	Article: Comparison of Force Attenuation Properties of Four Different Hip Protectors Under Simulated Falling Conditions in the	Article	08/00/1999	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		Elderly: An In Vitro Biomechanical Study			
HS2 001936	Maybe	Article: Force Reduction by an External Hip Protector on the Human Hip After Falls	Article	00/00/2002	
HS2 001947	Maybe	Report: Protective Properties of Two Brands of Hip Protectors After Repeated Laundering	Article / report	00/00/0000	
HS2 001966	Maybe	Article: Perceived barriers and facilitators for the use of external hip protectors	Article	00/00/0000	
HS2 001987	Maybe	Article: Force Reduction by an External Hip Protector on the Human Hip After Falls	Article	00/00/2002	
HS2 001999	Maybe	Article: Mechanical testing of hip protectors	Article	4/10/2002	
HS2 002007	Maybe	Article: A Solution to Hip Fractures Using Performance Tested Hip Protectors	Article	00/00/0000	
HS2 002016	Maybe	Article: Assessing the safety and effectiveness of hip protectors	Article	00/00/0000	
HS2 002022	Maybe	Photo of pad	Photo	8/14/2006	
HS2 002023	Maybe	Photo of pad	Photo	8/14/2006	
HS2 002024	Maybe	Photo of pad	Photo	8/14/2006	
HS2 002025	Maybe	Photo of pad	Photo	8/14/2006	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 002026	Maybe	Photo of pad	Photo	8/14/2006	
HS2 002048	Maybe	FYI= info from a wash test	Email	8/14/2006	Nentrup, Randall
HS2 002074	Maybe	HipSaver Tax Return 1995		00/00/1995	
HS2 002079	Maybe	HipSaver Tax Return 1996		00/00/1996	
HS2 002079	Maybe	HipSave tax return 1996		00/00/1996	
HS2 002083	Maybe	HipSaver Tax Return 1997		00/00/1997	
HS2 002088	Maybe	HipSaver Tax Return 1998		00/00/1998	
HS2 002092	Maybe	HipSaver Tax Return 1999		00/00/1999	
HS2 002095	Maybe	HipSaver Tax Return 2000		00/00/2000	
HS2 002099	Maybe	Protective Properties of Two Brands of Hip Protectors After Repeated Laundering - VISN 8 Patient Safety Center of Inquiry	Study/Article	00/00/0000	Stalhandske, Erik
HS2 002160	Yes	HipSaver Tax return 2005 - Produced in CD production of 09/27/2006		00/00/2005	
HS2 002198	Yes	NCPS Toolkit Video 2 handout: Hip Protector in an Inpatient Setting	Product Information	00/00/0000	NCPS
HS2 002198	Maybe	NCPS video: Hip Protector information		00/00/0000	NCPS
RJE 001718					
HS2 002209	Maybe	Warning label for Posey Hipsters	Product information	00/00/0000	Posey Company
HS2 002222	Maybe	Supplemental Expert Report of Kevin	Pleading / Expert	10/16/2006	Minissian, Kevin

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		Minissian (prepared to be potential deposition exhibit)	Report		
HS2 002224	Yes	Expert Report of Edward Ebramzadeh	Report	2/16/2006	Ebramzadeh, Edward
RJE 001718					
HS2 002257	Yes	Rebuttal Expert Report of Edward Ebramzadeh	Pleading / Expert Report	10/18/2006	Ebramzadeh, Edward
HS2 002287	Maybe	HipSaver advertisement: Hip Protectors & The Laundry	Advertisement	00/00/0000	HipSaver Company
HS2 002288	Maybe	Color Clorox Bleach label (batestamped before being taken to deposition as exhibit)	Label		
HS2 002293	Maybe	Posey letter to Professor Minns informing him of litigation and warning him of potential insulting letters he might receive from Goodwin	Letter	12/6/2006	Posey, Ernest
HS2 002294	Maybe	CDC Guideline: Laundry: Washing Infected Material	Guideline	11/18/2000	CDC
HS2 002295	Maybe	Declaration of Victoria Lewis in Opposition to HipSaver Motion for Partial Summary Judgment	Pleading	1/8/2007	Lewis, Victoria
HS2 002305	Maybe	Declaration of Victoria Lewis in Support of Motion of Defendant J.T. Posey Company for Order Transferring Venue to Central District of California	Pleading		
HS2 002309	Maybe	Declaration of John Ross Frymark	Pleading	7/29/2004	Frymark, John
HS2 002320	Maybe	Declaration of Ernest M. Posey	Pleading	7/29/2004	Posey, Ernest

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
HS2 002327	Yes	Posey "Special Announcement" regarding White Paper	Announcement		
HS2 002328	Maybe	Posey Fall Management and Bed Safety Products catalog	Advertisement / Catalog		
HS2 002360	Maybe	Posey Healthcare Product Selection Guide catalog	Advertisement / Catalog		
HS2 002428	Maybe	Posey 2005 Healthcare Product Selection Guide catalog	Advertisement / Catalog	00/00/2005	
HS2 002504	Maybe	Posey 2006 Healthcare Product Catalog	Advertisement / Catalog	00/00/2006	
PC 000001	Yes	Environmental Test Report on Various Hip Protectors	Report	8/7/2001	Garwood Laboratories
PC 000090	Maybe	Laundry validation	email	8/23/2005	Goodwin, Edward
PC 000102	Maybe	Corrective statement mailing	email	8/23/2005	Goodwin, Ed
PC 0001971	Yes	Hip protector test data; email from McGrath to Minns requesting additional info regarding test	Letter enclosing test report; email	10/8/2005	Minns, Julian; McGrath, Charleen
PC 000204	Yes	Advertisement for Posey Hipsters	Advertisement	00/00/1999	Posey Co.
PC 000225	Maybe	"White paper" test Letter from Goodwin to Posey re: 2003 White paper	Letter	3/18/2004	Goodwin, Ed
PC 000235	Maybe	HipSaver tests	Letter	4/4/2005	Goodwin, Ed
PC 000241	Maybe	HipSaver advertisement and product info / HipSaver web site	Advertisement and product info	00/00/0000	HipSaver

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 000291	Maybe	HipSaver advertisement and product info	Advertisement and product info	00/00/0000	HipSaver
PC 000365	Yes	Settlement Agreement	Pleading	9/22/2004	
PC 000373	Yes	"Special Announcement" regarding unreliability of "white paper"	Press Release	00/00/0000	
PC 000375	Maybe	Guidelines for Laundry in Health Care Facilities guidelines for institutional laundering	Guidelines	00/00/0000	CDC
PC 000375	Maybe	Guidelines for Laundry in Health Care Facilities	Guidelines	00/00/0000	
PC 000393	Yes	Itr to Posey re: notice of comparative advertising in accordance with settlement agreement	Letter	4/7/2005	Goodwin, Ed
PC 000394	Maybe	Ltr re: Garwood laboratories advertisement	Letter	4/8/2005	Goodwin, Ed
PC 000400	Maybe	Posey product info / advertisement	Advertisement	00/00/0000	Posey Co.
PC 000400	Yes	Advertisement / Product info for Posey Hipsters Posey advertisements	Advertisement / Product info	00/00/0000	Posey Co.
PC 000406	Maybe	Advertisement / Product info for Posey Hipsters		00/00/0000	
PC 000408	Yes	Advertisement / Product info for Posey Hipsters		00/00/0000	
PC 000412	Maybe	Guidelines for Laundry in Health Care Facilities laundering guidelines	Guidelines	00/00/0000	CDC

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 000414	Yes	Hip Protector Compliance: A 13-month Study on Factors and Cost in a Long-Term Care Facility Burl, et al.	Article	00/00/0000	Burl, Jeffrey B. Centola, James Bonner, Alice Burque, Colleen
		Hip Protector Compliance			
PC 000420	Yes	Environmental Test Report on Posey Hip Protectors 1/18/05 Environmental Test Report for Posey re: Hip Protectors	Test Report	1/18/2005	Garwood Laboratories
PC 000420	Yes	Environmental Test Report	Report	1/18/2005	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 000453	Yes	Garwood Laboratories Environmental Test Report on Hip Protectors	Report	5/2/2001	Clemens, R. M. Flower, William C. Sturkie, Tim
PC 000799	Maybe	Study: A Solution to Hip Fractures Using Performance Tested Hip Protectors	Report	08/00/2003	Gandhi, Bimal
PC 000799	Yes	Study: A Solution to Hip Fractures Using Performance Tested Hip Protectors	Article	08/00/2003	Gandhi, Bimal
PC 000809	Maybe	Sales report spanning 2001 to September 2005	Sales Report	00/00/2005	
PC 000810	Yes	Garwoon bid for testing 9/11/02	Letter	9/11/2002	Garwood Laboratories
PC 000815	Maybe	Impact Test Data for Hip Protector Components 7/26/01	Test Data	7/26/2001	Garwood Laboratories
PC 000823	Maybe	Procedures for Hipster Impact Absorption Testing	Product Test information	00/00/0000	Walters, Victoria
PC 000829	Maybe	Hip protector material test information	Product Test	00/00/0000	Walters, Victoria

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
			information		
PC 000833	Maybe	Test procedure 5/22/01 correspondence with Garwood re: additional testing	Letter	5/22/2001	Yates, Jeffrey
PC 000835	Maybe	Garwood test results	Data	00/00/0000	Sturkie, Tim
PC 000852	Yes	Email enclosing impact test results on Posey Hipster	Email enclosing report	7/27/2001	Yates, Jeffrey
PC 000852	Maybe	Email forwarding Posey Impact Test Results	Report	7/26/2001	Yates, Jeffrey
PC 000853	Yes	Impact Data regarding Posey Hipsters	email	7/27/2001	Yates, Jeffrey
PC 000862	Maybe	Laundry information	Table	7/9/2001	Posey Co.
PC 000863	Maybe	Impact test results	Test results	00/00/0000	Sturkie, Tim
PC 000864	Maybe	Hipsters Wash samples	email	8/2/2002	Walters, Vicky
PC 000865	Maybe	Wash Formula Guide Wash formula guide	Wash Formula Guid	9/17/2001	Norchem
PC 000868	Maybe	Product test results Impact test results	Graphs	4/10/2001	Garwood Laboratories
PC 000892	Maybe	Impact test results Posey Hipsters impact testing (w/Hipsters v. w/o Hipsters)	Bar Graphs	00/00/0000	
PC 000894	Maybe	Impact test results for various hip protectors	Bar graphs	00/00/0000	
PC 000894.04	Maybe	Impact test results	Report	11/23/1999	SGS Testing Co.
PC 000894.10	Maybe	GS U.S. Testing Co. Job ticket	Job Ticket /	10/12/1999	GS U.S. Testing Co.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
			Client copy		
PC 000894.11	Maybe	Impact test results	Report	10/26/1999	SGS Testing Co.
PC 000894.13	Maybe	Shock absorbing properties test results	Report	3/16/1999	SGS Testing Co.
PC 000897	Maybe	Impact Test Data Impact test data	Test Data	7/26/2001	
		7/26/2001			
PC 000898	Maybe	Meeting notes from meeting on problems with Posey Hipsters	Memo	4/25/2002	Rash, Lee
PC 000899	Yes	Hipsters H6000 Improvement Project timeline	Timeline	00/00/0000	
PC 000900	Yes	Questions about Laundry	email	12/17/2001	Sehulster, Lynne
PC 000917	Yes	Meeting Notes Hipsters-	Meeting Notes	4/25/2002	
PC 000918	Yes	Meeting Notes: Hipster problems	Letter	4/25/2002	Rash, Lee
PC 000919	Yes	FW: Posey Hipsters consideration of poron foam/ cost considerations	email	9/25/2003	Carr, Roy
PC 000920	Maybe	Email string regarding Posey pad success in laundry test	Email	9/24/2003	Nentrup, Randall
PC 001001	Maybe	Report outlining results of laundry test	Report	5/23/2005	SGS U.S. Testing Co.
PC 001002	Maybe	SGS US Testing Co. report entitled "Product Evaluation after Repeated Commercial Launderings" (page 2 of 3)	Report	5/23/2005	Ciccarelli, Angela Park, HoJun
PC 001003	Maybe	SGS US Testing Co. report entitled "Product Evaluation after Repeated	Report	5/23/2005	Ciccarelli, Angela Park, HoJun

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		"Commercial Launderings" (page 3 of 3)			
PC 001006	Maybe	Email string regarding laundry testing for Posey pads at SGS Testing Co.	Email	4/18/2005	Arpwong, Ed
PC 001006	Maybe	Email string re: Commercial Washing	E-mail	4/18/2005	Arpwong, Ed
PC 001016	Maybe	Telephone log of calls relating to SGS test, in reverse chronological order SGS US Testing notes	Call log	5/20/2005	
PC 001022	Yes	Email re: wash tests	E-mail	3/23/2005	Keefe, Mike
PC 001023	Yes	Listing of customers with defective Posey hipsters, Nov. 2004 - March 2005	Report	00/00/0000	
PC 001024	Yes	Listing of customers with defective Posey hipsters, March 2005 - October 2005	Report	00/00/0000	
PC 001025	Yes	Posey Hipsters ad	Advertisement	00/00/0000	
PC 001026	Yes	Posey Hipsters Proven Effective in Laboratory Test	Advertisement	00/00/0000	
PC 001027	Yes	Posey Restraint Alternatives 2001 / fall prevention ad	Catalog	00/00/2001	
PC 001029	Yes	Posey Care Alternatives Division 2002	Catalog	00/00/2002	
PC 001033	Yes	Posey Care Alternatives Division - Fall Management / Fall Prevention - Hipsters, citing Garwood July 2001 test 2003 Posey care alternatives catalog Hipster advertisements	Catalog	00/00/2003	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 001036	Yes	Posey Healthcare Product Selection Guide	Catalog	00/00/2004	
PC 001038	Yes	Posey 2005 Healthcare Product Selection Guide	Catalog	00/00/2005	
PC 001040	Yes	Selected pages from the Posey 2006 catalog	Marketing	00/00/2006	
PC 001043	Yes	Posey Hipsters package inserts - various versions	Marketing	00/00/2004	
PC 001053	Yes	Posey Hipster package inserts	Marketing	00/00/2004	
PC 001057	Yes	Posey Hipsters package inserts	Marketing	00/00/1999	
PC 001067	Yes	Posey EZ On Hipsters package inserts	Marketing	00/00/0000	
PC 001073	Yes	Posey ad "For Some Residents, Every Fall is A Big One;"	Advertisement	00/00/0000	
PC 001077	Yes	Draft of Posey ad	Advertisement	11/14/2004	
PC 001085	Yes	Draft of Posey ad stating "Posey Hipsters HELP Protect Against Injury from Falls" Posey catalog? Hipster advertisements	Advertisement	00/00/0000	
PC 001093	Yes	Draft of Posey ad stating "Posey Hipsters HELP Protect Against Injury from Falls" Posey catalog and Hipster advertisements	Advertisement	00/00/0000	
PC 001097	Maybe	Email re: Hipster literature changes 5/9/2005	E-mail	5/9/2005	Lewis, Vicky

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 001108	Maybe	Email re: update to website 5/10/05	E-mail	5/10/2005	Rosas, Elias
PC 001110	Maybe	Email forwarding Table of product literature and date	E-mail	5/17/2005	Arbizu, Cristina
PC 001113	Yes	Environmental Test Report for Posey Company on Nine Samples Hip Protector Material 7/30/03 Garwood Environmental Test Report	Report	7/30/2003	Clemens, R.M. Flower, William C. Virgilio, Vic
PC 001113	Maybe	Environmental Test Report	Report	7/30/2003	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 001166	Yes	Environmental Test Report for Posey Company on Three Hip Protectors 10/2/03 Garwood Environmental Test Report	Report	10/2/2003	Clemens, R.M. Flower, William C. Virgilio, Vic
PC 001166	Maybe	Environmental Test Report	Report	10/2/2003	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 001194	Yes	Environmental Test Report	Report	7/7/2004	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 001248	Yes	Environmental Test Report	Report	3/31/2005	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 001301	Yes	Environmental Test Report for Posey Company on Four Hip Protector Foam Pads and Two Tube Tread Floor Mats 5/28/03 Garwood Environmental Test Report	Report	5/28/2003	Clemens, R.M. Flower, William C. Virgilio, Vic

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 001301	Maybe	Environmental Test Report	Report	5/28/2003	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 001340	Yes	Environmental Test Report	Report	9/20/2002	R.M. "Rick" Clemens William Flower Vic Virgilio
PC 001368	Maybe	Posey 2006 Healthcare Product Catalog 2006 Posey Healthcare product catalog	Catalog	00/00/2006	
PC 001468	Maybe	Sales records for 2001 - September of 2005 Summary of Posey Sales 2001-2005	Ledger	00/00/0000	
PC 001469	Maybe	Posey trade shows and conferences data	Report	11/25/2005	
PC 001473	Maybe	Ad in HME News for Posey Hipsters sweatpants and shorts HME news October 2005, Posey advertisement	Advertisement	10/00/2005	
PC 001474	Maybe	HME News - page showing where published	Advertisement	10/00/2005	
PC 001475	Maybe	Photographs of pads photographhs of Posey pads	Photograph	5/28/2003	
PC 001476	Maybe	Photograph of pad photogragh of Posey pads	Photograph	5/28/2003	
PC 001477	Maybe	Photographs of pads photogragh of Posey pad	Photograph	7/7/2004	
PC 001478	Maybe	Photograph of pad Photogragh of Posey pads	Photograph	7/7/2004	
PC 001479	Maybe	Photographs of pads Photogragh of Posey pads	Photograph	1/18/2005	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 001480	Maybe	Photograph of pad Photragh of Posey pads	Photograph	1/18/2005	
PC 001481	Maybe	Photographs of pads Photragh of Posey pads	Photograph	3/31/2005	
PC 001482	Maybe	Photograph of pad Photragh of Posey pads	Photograph	3/31/2005	
PC 001483	Yes	A report re developing guidelines for infection control in health care facilities	Report	00/00/2003	
PC 001732	Maybe	Posey Healthcare Product Selection Guide, with handwritten notes and routing slip 2004 Posey Product Selection Guide	Catalog	00/00/2005	
PC 001736	Yes	2006 Posey Healthcare Product Selection Guide 2006 Healthcare Product catalog	Catalog	00/00/2006	
PC 001743	Yes	Draft of Hipster ad	Advertisement	3/10/2005	
PC 001747	Maybe	Draft of Hipster ad	Advertisement	00/00/0000	
PC 001751	Maybe	Draft of Posey Hipsters ad M6016	Advertisement	9/28/2004	
PC 001754	Maybe	Draft of "Posey Hipsters with High Durability Pads" ad M6127	Advertisement	9/28/2004	
PC 001757	Maybe	Draft of "Posey EZ On Hipsters" ad M5017	Advertisement	9/28/2004	
PC 001760	Maybe	Two articles: 8/23/97 "External Hip Protectors to	Article	8/23/1997	Eikman, A. Mallmin, H.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		Prevent Osteoporotic Hip Fractures" and "Prevention of Hip Fracture in Elderly			Michaelsson, K. Ljunghall, S.
		People with Use of a Hip Protector"			Kannus, Pekka
		1997 article re external hip protectors			Parkkari, Jari
					Niemi, Seppo
					Pasanen, Mati
					Palvanen, Mika
					Jarvinen, Markku
					Vuori, Ilkka
PC 001762	Maybe	Article: Prevention of Hip Fractures in Elderly People, New England Journal of Medicine (2000)	article	11/23/2000	
PC 001770	Maybe	Posey Hipsters brochure data	Report	11/17/2005	
PC 001788	Maybe	Garwood Labs brochure	Report	12/29/2005	Garwood Laboratories
PC 001802	Yes	Posey 2001 Patient Safety catalog	Catalog	00/00/2001	
PC 001805	Yes	Posey Hipsters III ad, citing July 2001 Garwood test	Advertisement	00/00/0000	
PC 001806	Yes	Draft of Hipster ad, "Posey Hipsters HELP Protect Against Injury from Falls"	Advertisement	00/00/0000	
PC 001810	Yes	Draft of Hipster ad, "Posey Hipsters HELP Protect Against Injury from Falls"	Advertisement	00/00/0000	
PC 001816	Maybe	Posey ad form - Hipster III Instruction, M6016	Form	8/23/2001	
PC 001817	Maybe	Posey Hipsters ad citing CDC and Rubenstein	Advertisement	00/00/1999	
PC 001818	Maybe	Clinical References Supporting the Use	Advertisement	00/00/0000	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		of Hip Protectors			
PC 001819	Maybe	Posey ad form - Hipster III instruction, M6016	Form	4/2/2002	
PC 001820	Maybe	Posey Hipsters ad citing CDC and Rubenstein	Advertisement	00/00/1999	
PC 001821	Maybe	Clinical References Supporting the Use of Hip Protectors	Advertisement	00/00/0000	
PC 001822	Maybe	Posey ad form - Hipster III instruction, M6016	Form	11/6/2002	
PC 001823	Maybe	Posey Hipsters ad citing CDC and Rubenstein, and Posey ad form (M6016)	Advertisement	00/00/1999	
PC 001826	Maybe	Posey CA Complete Healthcare Catalog 2003	Catalog	00/00/2003	
PC 001829	Maybe	Posey Hipsters ad (M6127)	Advertisement	00/00/2004	
PC 001832	Maybe	Posey EZ On Hipsters, and ad form (M5017)	Advertisement	00/00/2002	
PC 001835	Maybe	Posey EZ On Hipsters, and ad form (M5017)	Advertisement	00/00/2002	
PC 001838	Maybe	Wash Formula Guide - showing temperature differences for light, medium, and heavy soil cycles	Report	9/17/2001	Gastelum, Jamie
PC 001841	Maybe	Collection of wash requests and results through 7/20/05	Form	2/8/2005	Charles Kline
PC 001873	Maybe	Wash Report and Product Evaluation	Report	5/23/2005	Angela Ciccarelli

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 001876	Maybe	Standard Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment	Article	12/1/2005	ASTM International
PC 001876	Yes	Standard Specification for Impact Attenuation of Surface Systems Under and Around Plaground Equipment	Article	12/1/2005	ASTM
PC 001891	Maybe	Standard Specification for Impact Attenuation of Surfacing Materials Within the Use Zone of Playground Equipment	Article	12/1/2005	ASTM International
PC 001914	Maybe	Standard Test Method for Shock-Absorbing Properties of Playing Surface Systems and Materials	Article	00/00/0000	ASTM International
PC 001914	Yes	Standard Test for Shock-Absorbing Properties for Playing Surface Systems and Materials	Article	00/00/0000	ASTM
PC 001918	Maybe	Photos of equipment used in testing	Technical drawings/photos	00/00/0000	
PC 001921	Maybe	Photograph of testing equipment	Photograph	00/00/0000	
PC 001922	Maybe	HipSaver advertisement	Advertisement	00/00/0000	
PC 001923	Maybe	New Finished Goods Literature / Label Release; Finished Good Literature / Label Change Notice	Product info	9/28/2004	Posey Co.
PC 001927	Maybe	Article: Effect of Water Temperature on Bacterial Killing in Laundry	Article	00/00/0000	Smith, J.A. Neil, K.R. Davidson, C.G.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
					Davidson, R.W.
PC 001933	Maybe	Article: Killing of Fabric-Associated Bacteria in Hospital Laundry by Low-Temperature Washing	Article	01/00/1984	Blaser, Martin Smith, Paul Cody, Henry Want, Wen-Lan LaForce, F.Marc
PC 001933	Maybe	Article: Killing of Fabric-Associated Bacteria in Hospital Laundry by Low-Temperature Washing	Article	00/00/1984	Blaser, Martin Smith, Paul Cody, Henry Wang, Wen-Lan LaForce, F.
PC 001943	Maybe	Article: Low-temperature washing of patients' clothing; effects of detergent with disinfectant and a tunnel drier on bacterial survival	Article	10/23/1987	Tompkins, D.S Johnson, P. Fittal, B.R.
PC 001951	Maybe	Article: Bacteriological Quality of Fabrics Washed at Lower-Than-Standard Temperatures in a Hospital Laundry Facility	Article	02/00/1983	Christian, Robert Manchester, Janet Mellors, Michael
PC 001951	Maybe	Article: Bacteriological Quality of Fabrics Washed at Lower-Than-Standard Temperatures in a Hospital Laundry Facility	Article	6/1/1982	Christian, Robert Manchester, Janet Mellors, Michael
PC 001958	Maybe	Article: Impact of Detergent Systems on Bacterial Survival on Laundered Fabrics	Article	04/00/1980	Jaska, James Fredell, Dale
PC 001964	Maybe	Article: Wash Water Temperature and Sanitation in the Hospital Laundry	Article	00/00/0000	Battles, Donald Vesley, Donald
PC 001971	Yes	Letter enclosing tests comparing Posey	Letter	9/8/2005	Minns, Julian

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		and HipSaver hip protectors			
PC 001985	Maybe	Letter requesting website studies; emails relating to HipSaver pad laundering and comparing HipSaver to Posey	Letter; emails	9/22/2005	Posey, Ernest; Nentrup, Randall Lewis, Vicky
PC 001988	Yes	Email string regarding changing info in NCPS video	Email	4/29/2005	Lewis, Vicky
PC 001989	Yes	Email string regarding Hipsters	Email	2/24/2005	Nentrup, Randall
PC 002019	Maybe	Email string regarding return of Hipsters used in laundry test to Posey	Email	10/2/2003	Nentrup, Randall
PC 002022	Maybe	Prevention of Hip Fracture in Elderly People with Use of a Hip Protector	Article	12/1/2005	Kannus, Pekka Parkkari, Jari Niemi, Seppo Pasanen, Matti Palvanen, Mika Jarvinen, Markku Vuori, Ilkka
PC 002030	Maybe	Effect of external hip protectors on hip fractures	Article	1/2/1993	Lauritzen, J.B. Petersen, M.M. Lund, B.
PC 002033	Maybe	The V.A. and Low Temp Washing	Article	08/00/1985	Baker, Doris
PC 002036	Maybe	Laundry: the next frontier for the value-added trend	Article	12/00/1995	Blyth, Pamela
PC 002038	Maybe	Disinfecting versus Sanitizing	Article	11/00/2003	Belkin, Nathan
PC 002041	Maybe	Low-temp washing for hospital linen	Article	12/2/2005	Erkenbrecher, Carl Paradee, James

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 002050	Maybe	Is low temperature washing safe and effective?	Article	04/00/1981	Mallison, George
PC 002054	Maybe	Hip fracture disease: Coping with a contemporary epidemic	Article	12/00/1993	Robb, William
PC 002061	Maybe	Revised guidelines for healthcare linen service	Article	01/00/1989	Weller, S. Clifford
PC 002062	Maybe	U.S Patent No. 5,881,395 - Impact Absorbing Pad	U.S. Patent	3/16/1999	Donzis, Byron
PC 002072	Maybe	U.S. Patent No. 4,539,057 - Method for Producing an Elastic Body with Protective Layer	U.S. Patent	9/3/1985	Ahlm, Lars
PC 002079	Maybe	U.S. Patent No. 4,985,931 - Shock Absorbing Pad Structure for Athletic equipment	U.S. Patent	1/22/1991	Wingo, James
PC 002089	Maybe	U.S. Patent No. 5,235,715 - Impact Absorbing Composites and Their Production	U.S. Patent	8/17/1993	Donzis, Byron
PC 002099	Maybe	Rogers List of PORON Slow Recovery properties and test methods	Test information	00/00/0000	Rogers Corporation
PC 002100	Maybe	Confor Form Materials Summary Sheet	Materials Summary Sheet	09/00/2004	Aero EAR
PC 002101	Yes	Guidelines for Healthcare Linen Service 1999	Guidelines	00/00/1999	Joint Committee on Healthcare Laundry Guidelines
PC 002113	Yes	Healthcare Service Operations Manual	Operations Manual	00/00/1995	Weller, Clifford

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 002221	Maybe	Biomechanics of Falls and Hip Fracture in the Elderly	Article	00/00/0000	Hayes, Wilson
PC 002246	Maybe	Age-Related Hip Fractures: Biomechanics of Fracture Risk	Article	00/00/0000	Hayes, Wilson
PC 002260	Maybe	Etiology and Prevention of Age-Related Hip Fractures	Article	00/00/1996	Hayes, W.C. Myers, E.R. Robinovitch, S.N. Van Den Kroonenberg, A. Courtney, A.C. McMahon, T.A.
PC 002270	Maybe	Epidemiology of Hip Fractures	Article	00/00/1996	Kannus, P. Parkkari, J. Sievanen, H. Hienonen, A. Vuori, I. Jarvinen, M.
PC 002329	Maybe	Read my Hips: Measuring Trochanteric Soft Tissue Thickness	Article	6/5/1992	Maitland, Lauri Myers, Elizabeth Hipp, John Hayes, Wilson Greenspan, Susan
PC 002334	Maybe	Age-related hip fractures	Article	00/00/1994	Myers, Elizabeth Hayes, Wilson
PC 002341	Maybe	Force Attenuation Properties of Various Trochanteric Padding Materials Under Typical Falling Conditions of the Elderly	Article	00/00/1994	Parkkari, Jari Kannus, Pekka Poutala, Jarmo Vuori, Ilkka
PC 002347	Maybe	Increasing Age-Adjusted Incidence of Hip Fractures in Finland: The Number	Article	03/00/1994	Parkkari, J. Kannus, P.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		and Incidence of Fractures in 1970-1991			Niemi, S.
		and Prediction for the Future			Pasanem, M.
					Jarvinen, M.
					Luthje, P.
					Vuori, I.
PC 002351	Maybe	Energy-Shunting External Hip Protector Attenuates the Peak Femoral Impact Force below the Theoretical Fracture Threshold: An In Vitro Biomechanical Study under Falling Conditions of the Elderly	Article	00/00/1995	Parkarri, Jari Kannus, Pekka Heikkila, Jussi Poutala, Jarmo Sievanen, Harri Vuori, Ilkka
PC 002357	Maybe	Majority of Hip Fractures Occur as a Result of a Fall and Impact on the Greater Trochanter of the Femur: A Prospective Controlled Hip Fracture Study with 206 Consecutive Patients	Article	11/15/1997	Parkkari, J. Kannus, P. Palvanen, M. Natri, A. Vainio, J. Aho, H. Vuori, I. Jarvinen, M.
PC 002362	Maybe	Impact Direction from a Fall Influences the Failure Load of the Proximal Femur as Much as Age-Related Bone Loss	Article	00/00/1006	Pinilla, T.P. Boardman, K.C. Bouxseim, M.L. Myers, E.R. Hayes, W.C.
PC 002367	Maybe	Prediction of Femoral Impact Forces in Falls on the Hip	Article	11/00/1991	Robinovitch, S.N. Hayes, W.C. McMahon, T.A.
PC 002376	Maybe	Energy-Shunting Hip Padding System Attenuates Femoral Impact Force in a Simulated Fall	Article	11/00/1995	Robinovitch, S.N. Hayes, W.C. McMahon, T.A.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 002381	Maybe	Force Attenuation in Trochanteric Soft Tissues During Impact from a Fall	Article	12/1/1994	Robinovitch, Stephen McMahon, Thomas Hayes, Wilson
PC 002388	Maybe	Distribution of Contact Force during Impact to the Hip	Article	00/00/1997	Robinovitch, Stephen McMahon, Thomas Hayes, Wilson
PC 002398	Maybe	Predicting the Impact Response of a Nonlinear Single-Degree-of-Freedom-Shock-Absorbing System From the Measured Step Response	Article	08/00/1997	Robinovitch, Stephen McMahon, Thomas Hayes, Wilson
PC 002405	Maybe	Disturbance type and gait speed affect fall direction and impact location	Article	10/26/2000	Smeesters, Cecile Hayes, Wilson McMahon, Thomas
PC 002414	Maybe	Dynamic Models for Sideways Falls From Standing Height	Article	08/00/1995	van den Kroonenberg, A.J. Hayes, W.C. McMahon, T.A.
PC 002424	Maybe	Hip Impact Velocities and Body Configurations for Voluntary Falls from Standing Height	Article	8/21/1995	van den Kroonenberg, Aya Hayes, Wilson McMahon, Thomas
PC 002429	Maybe	Prevention of Hip Fractures by External Hip Protectors	Article	00/00/1997	van Schoor, Natasja Smit, Johannes Twisk, Jos Bouter, Lex Lips, Paul
PC 002481	Yes	HipSaver Advertisement	Advertisement	00/00/0000	HipSaver
PC 002482	Yes	Hipster Label drafts; emails	Label draft; emails	6/20/2001	Cain, Joe

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 002486	Maybe	Advertisement for Posey Hipsters; illegible excerpt from The Lancet; Hip Fracture Disease: Coping with a contemporary epidemic; Effect of External Hip Protectors on Hip Fractures	Advertisement	00/00/0000	
PC 002550	Yes	HipSaver Advertisement	Advertisement	00/00/0000	HipSaver
PC 002558	Yes	Photograph of HipSaver Product Label	Photograph	00/00/0000	
PC 002559	Yes	Photograph of HipSaver Product Label	Photograph	00/00/0000	
PC 002562	Yes	Interpretation of Biomechanical Testing of HipSaver Dual-mechanism Shunting/Absorbing AirPad (2000)	Test results	08/00/2000	Parkkari, Jari Poutala, Jarneo
PC 002565	Yes	Hip Pads: Effective Fracture Prevention in Advance for Physical therapies -2000	Article	10/30/2000	Gross, George Chen, Tsan-Hui Flaherty, Carolyn
PC 002567	Yes	HipSaver Slim Fit advertisement	Advertisement	00/00/0000	
PC 002574	Yes	HipSaver Slim Fit advertisement	Advertisement	00/00/0000	
PC 002582	Maybe	Document summaries from the American Society for Testing and Materials; Article: Standard Test Method for Shock-Absorbing Properties of Playing Surface Systems and Materials	Document Summaries; Article	00/00/0000	The American Society for Testing and Materials
PC 002604	Maybe	Memo enclosing article titled "Prevention of Hip Fractures by External Hip Protectors"	Memo enclosing article	4/29/2003	Lewis, Victoria; van Schoor, Natasja Smit, Johannes Twisk, Jos Bouter, Lex

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
					Lips, Paul
PC 002618	Maybe	RE: Hipsaver Matter 9721.83 Status	email	8/29/2002	Frymark, John
		Update			
PC 002619	Maybe	Re: Hipsaver Brochure	Memo enclosing brochure	9/13/2002	Frymark, John; HipSaver Co.
PC 002636	Maybe	Fax cover sheet; memo Re: New England Journal of Medicine	Fax cover sheet; memo; product information	4/27/2001	Acosta, Anna; Walters, Vicky
PC 002639	Maybe	Fax enclosing article titled: Prevention of Hip Fracture in Elderly People with Use of a Hip Protector	Fax enclosing article	12/27/2000	Lunn, John; Kannus, Pekka Parkkari, Jari Niemi, Seppo Pasanen, Matti Palvanen, Mika Jarvinen, Markku Vuori, Ilkka
PC 002660	Maybe	Interoffice memo	Memo enclosing test results and article	10/4/2001	Acosta, Anna; Parkkari, Kannus Niemi, J. et al; Oliver, David Hopper, Adrian Seed, Paul
PC 002677	Maybe	Posey Imact Test Results 2001	Test Results	7/26/2001	Posey Co.
PC 002680	Yes	Comparison of Force Attenuation Properties of Four Different Hip Protectors Under Simulated Falling Conditions in the Elderly: An In Vitro Biomechanical Study	Article	00/00/1999	Kannus, P. Parkkari, J. Poutala, J.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 002688	Maybe	Hip fracture disease: Coping with a contemporary epidemic	Article	12/00/1993	Robb, William
PC 002697	Maybe	Reducing Falls and Resulting Hip Fractures Among Older Women	Article	3/31/2000	Stevens, Judy Olson, Sarah
PC 002709	Maybe	Intervention Study with Hip Protectors	Article	09/00/1998	Hindso, Klaus Lauritzen, Jes Bruun
PC 002711	Maybe	Inexpensive Hip Protection Device Reduces Seniors' Hip Fracture	Article	01/00/1999	Senior Care Management
PC 002715	Maybe	A Threshold Analysis of the Hip Protector for Prevention of Hip Fracture in Older Women	Article	00/00/0000	Cummings, Steven
PC 002733	Maybe	Hip Protectors - A Breakthrough in Fracture Prevention	Article	11/23/2000	Reubenstein, Laurence
PC 002737	Maybe	Effect of external hip protectors on hip fractures	Article	1/2/1993	Lauritzen, J.B. Petersen, M.M. Lund, B.
PC 002741	Maybe	Hip Fractures: Incidence, Risk Factors, Energy Absorption and Prevention	Article	01/00/1996	Lauritzen, J.B.
PC 002754	Maybe	Posey 2005 Healthcare Product Selection Guide	Catalog	00/00/2005	
PC 002834	Maybe	Poron Medical Urethanes product information	Product Information	00/00/0000	Rogers Corporation
PC 002860	Yes	Label Release and brochure	Label Release	6/26/2003	
PC 002863	Maybe	Label Release and brochure	Label Release	10/4/2004	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 002867	Maybe	Product Change Notice and brochure.	Product Change	12/20/2004	
			Notice		
PC 002869	Maybe	Label Release and brochure	Label Release	12/10/2004	
PC 002872	Maybe	Label Release and brochure	Label Release	1/17/2005	
PC 002875	Yes	Label Release and brochure	Label Release	3/14/2005	
PC 002878	Maybe	Label Release and brochure	Label Release	12/9/2004	
PC 002881	Maybe	Label Release and brochure	Label Release	9/7/2005	
PC 002884	Maybe	Label Release and brochure	Label Release	3/17/2005	
PC 002887	Maybe	Label Release and brochure	Label Release	7/14/2005	
PC 002890	Maybe	Label Release and brochure	Label Release	9/8/2005	
PC 002893	Yes	Sales of Posey Hipsters, 2001 - 2005	Sales data	00/00/0000	
PC 002899	Maybe	Domestic Sales of Posey Hipsters, 2004	Sales data	1/31/2006	
		-2005			
PC 002905	Maybe	Impacts and Padding of the Hip in Relation to Hip Fractures	Article	3/4/1991	Lauritsen, J.B. Lund, B.
PC 002910	Maybe	Protection against hip fractures by energy absorption	Article	00/00/1992	Lauritzen, Jes Bruun Askegaard, Vagn
PC 002913	Maybe	Available Trochanteric Padding Systems Fail to Reduce Femoral Impact Force Below Fracture Threshold	Article	2/15/1993	Robinovitch, SN Wenz, JT McMahon, TA Hayes, WC
PC 002914	Maybe	Hip protectors for preventing hip	Article	00/00/2005	Parker, M.J.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		fractures in older people			Gillespie, WJ
PC 002947	Maybe	Effectiveness and acceptability of a newly designed hip protector: a pilot study	Article	9/6/1999	Chan, Daniel Hillier, Gary Coore, Michelle Cooke, Rosemary Monk, Rebecca Mills, Janette Hung, Wai
PC 002973	Maybe	U.S. Patent No. 5, 545, 128: Bone Fracture Prevention Method	U.S. patent	8/13/1996	Hayes, Wilson Robinovitch, Stephen McMahon, Thomas
PC 002998	Maybe	Monthly Hipster Sales 2004 to 2005	Financial data	00/00/0000	
PC 003000	Maybe	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
PC 003001	Maybe	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
PC 003002	Maybe	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
PC 003006	Yes	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
PC 003008	Yes	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
PC 003011	Maybe	Advertisement for Posey Hipsters	Advertisement	00/00/0000	Posey Co.
PC 003012	Maybe	Email with attachment of list of customers	List	3/10/2006	Charleen McGrath
PC 003382	Yes	Hipsaver Request #15 - Sales and Costs of Designated Fall Management Products 2001 to 2005	Sales informaiton	00/00/0000	
PC 003397	Yes	Hipsaver Request #16 - Sales and Costs	Sales informaiton	00/00/0000	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		of Hip Protection Products 2001 to 2005			
PC 003422	Yes	Hipsaver Request #17 - Bill to Customer Names and Addresses	Sales informaiton	00/00/0000	
PC 003429	Yes	Hipsaver Request #17 - Ship to Address and Hip Protector Sales	Sales informaiton	00/00/0000	
PC 003853	Yes	Hipsaver Request #17 - Payment Application Data	Sales informaiton	00/00/0000	
		PC 003853- PC 003962			
		Produced on CD			
PC 003963	Yes	CD containing Hipster invoices; duplicate CD at PC 003964	Disk	00/00/0000	
PC 003965	Yes	CD containing data re: Hipster RMAs (comments re: returns); PC 003965-PC 4528	Disk	00/00/0000	
PC 004529	Yes	CD containing data re: Posey Hipster RMAs (comments re: returns); Bates range PC 004529- PC ?	Disk	00/00/0000	
PC 005153	Maybe	Posey 2004 S-Corporation Return	Tax return	00/00/2004	
PC 005180	Maybe	Posey 2003 S-Corporation Return	Tax return	00/00/2003	
PC 005204	Maybe	Posey 2002 S-Corporation Return	Tax return	00/00/2002	
PC 005232	Maybe	Posey 2001 S-Corporation Return	Tax return	00/00/2001	
PC 005258	Maybe	Re: Hipster products to include in Long Term Care catalog	email	5/4/2006	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005287	Maybe	Request for information for Posey product review for Dept. of V.A.	email	11/12/2002	
PC 005289	Maybe	Re: Contract Extension for Life Care Centers of America	email	1/19/2004	
PC 005305	Maybe	Re: check on status of contract extension btwn Life Care Centers and Posey	Email	3/3/2005	
PC 005308	Maybe	Re: adding Posey products to DSSI	Email	1/14/2005	
PC 005311	Maybe	Re: addition of Posey products to HCRnet	Email	2/9/2005	
PC 005312	Maybe	Re: pricing for HCR	Email	2/9/2005	
PC 005315	Maybe	Re: Contract Extension	Email	5/18/2005	
PC 005319	Maybe	Posey product additions to HCR	Email	6/13/2005	
PC 005322	Maybe	Re: Posey product placement in catalogs		1/28/2003	
PC 005327	Maybe	List of Posey products for catalog		00/00/0000	
PC 005375	Maybe	Re: Posey product placement in catalogs		1/27/2003	
PC 005380	Maybe	Re: Posey product placement in catalogs		7/6/2005	
PC 005381	Maybe	Re: Posey product placement in catalogs		4/30/2005	
PC 005383	Maybe	Info on Posey products for HCR		00/00/0000	
PC 005384	Maybe	Re: Posey products for catalogs		5/1/2002	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005385	Maybe	Re: Posey products for catalogs		4/23/2002	
PC 005386	Maybe	Re: Posey products for catalogs		2/9/2005	
PC 005389	Maybe	HCR Price Schedule Formulary Products		00/00/0000	
		Product Additions			
PC 005391	Maybe	Re: HCR Posey Product Additions		6/10/2005	
PC 005392	Maybe	HCR Price Schedule Formulary Products		00/00/0000	
		Product Additions			
PC 005394	Maybe	Proposed pricing on EZ-on Hipsters		1/7/2004	
PC 005395	Maybe	Proposed ADDS for LCCA Price Schedule	Financial	00/00/0000	
PC 005396	Maybe	Letter to Posey Dealer/Distributor re:		8/26/2004	
		UCLA "white paper"			
PC 005397	Maybe	Letter re: White Paper		8/25/2004	
PC 005398	Maybe	Re: return and exchange for Mt Vernon		10/16/2002	
		Care Ctr			
PC 005400	Maybe	Department of Veterans Affairs Federal	Business	00/00/2003	
		Supply Schedule			
PC 005411	Maybe	Re: adding Hipsters back onto HCR		4/23/2002	
		formulary			
PC 005412	Maybe	Posey special price quotation for HCR		4/23/2002	
PC 005413	Maybe	Re: price quote		2/5/2002	
PC 005414	Maybe	Posey special price quotation for HCR		2/14/2002	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005415	Maybe	Re: price quote		2/5/2002	
PC 005416	Maybe	Re: price quote		2/5/2002	
PC 005417	Maybe	Re: addition of Hipster III		11/7/2001	
PC 005418	Maybe	Poduct adds to HCR Manorcare		00/00/0000	
PC 005420	Maybe	Alimed Fall management page		7/21/2003	
PC 005421	Maybe	Re: Alimed patient care tabloid		3/25/2003	
PC 005423	Maybe	Re: Alimed patient care tabloid		3/19/2003	
PC 005459	Maybe	Posey Hipsters advertisement		00/00/0000	
PC 005460	Maybe	Posey advertisement, "Clinical References Supporting the Use of Hip Protectors"		00/00/0000	
PC 005505	Maybe	Sizing chart for Hipster Sweatpants and Shorts; email from Jen Invencion to Elizabeth Noelker (VA) re VA presentation on Posey products		11/12/2002	
PC 005509	Maybe	Buying group/purchase chart		00/00/0000	
PC 005552	Maybe	HCR Formulary Products		7/15/2005	
PC 005553	Maybe	HCR Product Additions		6/30/2005	
PC 005554	Maybe	HCR Product Additions		6/16/2005	
PC 005556	Maybe	HCR Product Additions		7/1/2005	
PC 005559	Maybe	HCR Product Additions		7/11/2005	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005563	Maybe	Posey Hipsters Sweat Pants		00/00/0000	
PC 005565	Maybe	Posey Hipsters Sweat Pants	Advertisement	00/00/0000	
PC 005567	Maybe	Re: Hipsters		5/27/2005	
PC 005569	Maybe	New Product Information Sheet		00/00/0000	
PC 005579	Maybe	New Hipster pricing		2/9/2005	
PC 005583	Maybe	Life Care contract extension		00/00/0000	
PC 005584	Maybe	e-mail re: Life Care contract extension	Email	9/8/2005	
PC 005588	Maybe	Re: Posey products		1/27/2003	
PC 005591	Maybe	re: Posey products- fromulary v. non-formulary		1/24/2003	
PC 005608	Maybe	E-mail encl. product information on Hipsters HD		5/2/2005	
PC 005609	Maybe	Posey prproduct information sheet for Hipsters		00/00/0000	
PC 005613	Maybe	Posey Customer List?		00/00/0000	
PC 005618	Maybe	Contract Information Sheet for Heel Protectors		00/00/0000	
PC 005620	Maybe	Announcement: re: heel protectors		2/13/2004	
PC 005621	Maybe	Announcement re: Heel Protectors		2/17/2004	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005622	Maybe	Contract Information Sheet for Heel Protectors		2/13/2004	
PC 005624	Maybe	Federal Supply Schedule for 2002-2006		00/00/0000	
PC 005635	Maybe	Posey customer list		00/00/0000	
PC 005640	Maybe	Announcement: re: Heel Protectors		2/17/2004	
PC 005652	Maybe	Email string re: preliminary results of NCPS study		3/17/2004	
PC 005655	Maybe	Email string re: launderability		1/20/2004	
PC 005657	Maybe	Email string re: lengthy Hipster wash testing and durability		10/21/2003	
PC 005659	Maybe	Email string re: Hipster pad durability		9/22/2004	
PC 005672	Maybe	Email string re: NCPS study		3/20/2006	
PC 005678	Maybe	Email string re: discussion of NCPS study		4/29/2005	
PC 005683	Maybe	Email exchange re: hipsters for VA test	Email	10/23/2001	Weaver, Robert
PC 005687	Maybe	Discussion of SPOT program for capturing fall data		9/19/2001	
PC 005689	Maybe	Email string re: Posey marketing director		8/28/2001	
PC 005692	Maybe	Email string re: Posey marketing director	Email	8/28/2001	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005694	Maybe	Email exchange re meeting with Dr. Opava-Ruter to discuss results of testing	Email	8/1/2001	Weaver, Robert
PC 005697	Maybe	Email string re: Hipster impact test claiming 90% fall absorption		7/30/2001	
PC 005699	Maybe	Video tape		00/00/0000	
PC 005700	Maybe	Customer listing for those who received video tape		5/21/2006	
PC 005701	Maybe	list of customers for those who received Hipster III VHS tape		00/00/0000	
PC 005709	Maybe	2006 Posey product catalog Hipster entry with laundering instructions		00/00/2006	
PC 005712	Maybe	New Hipster label		12/10/2004	
PC 005713	Maybe	Hipster advertisement		00/00/0000	
PC 005716	Maybe	Hipster advertisement		00/00/0000	
PC 005718	Maybe	New Hipster label		4/28/2005	
PC 005721	Maybe	Hipsters updated instructions		9/7/2005	
PC 005722	Maybe	Hipsters advertisement		00/00/0000	
PC 005724	Maybe	Posey Hipster catalog/advertisement		00/00/0000	
PC 005728	Maybe	Posey Hipster catalog/advertisement markup		3/10/2005	
PC 005732	Maybe	Posey Hipster catalog/advertisement		00/00/0000	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		markup			
PC 005736	Yes	CD containing Hipsters returns 2001-2005		00/00/0000	
PC 005737	Maybe	Article: Tampere University of Technology Hip protector test	Article	00/00/0000	Parkkari, Jari Poutala, Jarmo
PC 005743	Maybe	Posey 2005 Corporate Tax return	Financial	00/00/2005	
PC 005768	Maybe	Article: Biomechanical comparison of hard and soft hip protectors, and the influence of soft tissue	Article	3/20/2006	van Schoor, N.M. van der Veen, A.J. Schaap, L.A. Smit, T.H. Lips, P.
PC 005775	Maybe	Request for test on Posey products	Email	10/12/2006	Lewis, Vicky
PC 005779	Maybe	Price quotation for Posey pad testing	Letter	3/31/2006	Poutala, Jarmo
PC 005787	Maybe	Posey Hip Protector Test Results	Study	00/00/0000	Parkkari, Jari Poutala, Jarmo
PC 005796	Maybe	Posey Hip Protector Test Results / Tampere study	Study	00/00/0000	Parkkari, Jari Poutala, Jarmo
PC 005802	Maybe	Article: Hip Pads: Effective Fracture Prevention	Article	10/30/2000	Gross, George Chen, Tsan-Hui Flaherty, Carolyn
PC 005804	Maybe	Email enclosing Van Schoor report	Email	10/12/2006	Lewis, Vicky
PC 005807	Maybe	Article: Biomechanical comparison of hard and soft hip protectors, and the influence of soft tissue	Article	1/26/2006	van Schoor, N.M. van der Veen, A.J. Schaap, L.A. Smit, T.H.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
					Lips, P.
PC 005814	Maybe	Response to request for interpretation of Posey hip protector test	Email	10/12/2006	Lewis, Vicky
PC 005817	Maybe	2001 Ledger	Spreadsheet	00/00/2001	
PC 005822	Maybe	2002 Ledger	Spreadsheet	00/00/2002	
PC 005827	Maybe	2003 Ledger	Spreadsheet	00/00/2003	
PC 005832	Maybe	2004 Ledger	Spreadsheet	00/00/2004	
PC 005837	Maybe	2005 Ledger	Spreadsheet	00/00/2005	
PC 005843	Maybe	Research article: How safe are hip protectors?	Article	00/00/0000	Minns, Julian
PC 005843	Maybe	Appendices to Ebramzadeh Rebuttal Expert report	Report	10/18/2006	
PC 005854	Maybe	Research article: How safe are hip protectors?	Article	00/00/0000	Minns, Julian
					Nabhani, F.
					Bamford, J.
PC 005865	Maybe	Article from Art & Science: Assessing the safety and effectiveness of hip protectors	Article	6/9/2004	Minns, J
PC 005889	Maybe	Article: Mechanical testing of hip protectors	Article	4/10/2002	
PC 005897	Maybe	Article: Force Reduction by an External Hip Protector on the Human Hip After Falls	Article	00/00/2002	

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
PC 005909	Maybe	Injury mechanism of Hip Fracture and prevention of Hip fractures by external protectors	Article	00/00/0000	
PC 005911	Maybe	Email exchange re Posey visit to UK to vist Minns	Email	11/15/2006	Sheldon, Jeff
PC 005914	Yes	Email exchange re picture of Posey pad showing incorrect positioning	Email	12/4/2006	Morseburg, Doug
PC 005916	Yes	Communication from Dept of Veterans Affairs enclosing revision to Veterans Health Services and Research Administration Manual MK-1 "Operations"	Letter / Correspondance	7/28/1989	Gronxall, John
PC 005917	Yes	Pages from Chapter 6 of M-1 VA manual: Textile Care Facility Operations	Manual	7/28/1989	
PC 005927	Maybe	Color Copy of 2002 Catalog / advertisement	Catalog / Advertisement	00/00/2002	
PC 005929	Maybe	Color Copy of 2003 Catalog / advertisement	Catalog / Advertisement	00/00/2003	
PC 005933	Maybe	Color Copy of Hipsters Flyer MK1162 dated 092001	Advertisement	09/00/2001	
PC 005935	Maybe	Color Copy of Tight Rope Walker Flyer M6079 dated 092603	Advertisement	9/26/2003	
R00004	Maybe	Summary of a meeting with Posey, Christina Greenwell, Jeff Oldford, and Boyd Chino	Report	11/11/2005	
R00027	Maybe	Several Customer Intelligence Reports	Report	3/8/2006	Christina Greenwell

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		emailed to Gregory Waters from Christina Greenwell			
R00059	Maybe	Various reports re Posey's use and interest in Rogers' foam.	Report	6/2/2003	
R00069	Maybe	Posey wants another sample	Email	2/21/2006	Patrick Fahey
R00073	Maybe	Discussion re sandwich configuration of material	Email	2/21/2006	Nicole Ouellette
R00081	Maybe	Prices are too high	Email	6/26/2004	Patrick Fahey
R00096	Maybe	Email attaching chart re comparison of Posey and competitor.	Email	3/9/2006	Christina Greenwell
R00114	Maybe	Redacted notes of Posey actions and information.	Email	3/9/2006	Christina Greenwell
RJE 001718	Maybe	Warning label on Posey Hipsters	Label	00/00/0000	Posey Company
HS2 002209					
RJE 001718	Maybe	Supplemental Report of Kevin Minissian	Report	10/16/2006	Minissian, Kevin
HS2 002222					
RJE 001718	Maybe	Rebuttal Expert Report of Edward Ebramzadeh	Report	10/18/2006	Ebramzadeh, Edward
HS2 002257					
WCH 000017	Maybe	Calcified Tissue International Article: Effects of Loading Rate on Strength of the Proximal Femur	Article	00/00/1993	Courtney, A.C. Wachtel, E.F. Myers, E.R. Hayes, W.C.
WCH 000061	Maybe	Journal of Biomechanical Engineering article: Energy-Shunting Hip Padding System Attenuates Femoral Impact Force	Article	11/00/1995	Robinovitch, S.N. Hayes, W.C. McMahon, T.A.

## HipSaver's Rule 26(a)(3) Trial Exhibit List

Batesno	Trial Exh.	Summary	Doctype	Docdate	Authors
		in a Simulated Fall			
WCH 000084	Maybe	Composite Structures article: Performance Assessment of Wood, Metal, and Composite Baseball bats	Article	00/00/2001	Shenoy, Mahesh Smith, Lloyd Axtell, John
WCH 000148	Maybe	Article: Are hip protectors correctly positioned in use?	Article	00/00/0000	Minns, R.J. Marsh, A.M. Chuck, A. Todd, J.
WCH 000178	Maybe	Hayes Rebuttal Report to Ebramzadeh report	Letter / Report	8/14/2004	Hayes, Toby